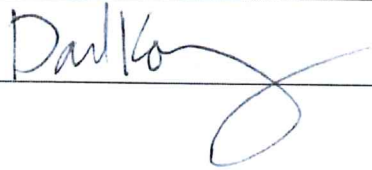


## SUBMITTAL CHECKLIST

*Applications must include the items on this checklist, and the checklist, to be complete*

This submittal checklist and application is for formal requests to change the comprehensive plan or development regulations pursuant to state law (RCW [36.70A.470](#)) and Everett Planning Director Interpretation 2023-01.

For questions, or to submit an application, contact Karen Stewart at [kstewart@everettwa.gov](mailto:kstewart@everettwa.gov).

<b>For all amendments</b>	
<input type="checkbox"/> <b>1. Meeting with Planning Staff</b>	A pre-application meeting is required with <a href="#">Planning</a> staff (Long Range Division) prior to submitting this application. To schedule a meeting contact Karen Stewart at (425) 257-7186 or <a href="mailto:kstewart@everettwa.gov">kstewart@everettwa.gov</a> .
<input type="checkbox"/> <b>2. Applicant name and address</b>	David Koenig PO Box 981 Everett, WA 98206 (mailing address)
<input type="checkbox"/> <b>3. Other contacts (if applicable)</b>	None
<input type="checkbox"/> <b>3. Amendment category</b>	Highlight all that would require amendment as part of the proposal: <ul style="list-style-type: none"> <li><input checked="" type="radio"/> Comprehensive plan – <a href="#">text, goals, objectives, policies</a></li> <li><input type="radio"/> Comprehensive plan – <a href="#">land use map</a></li> <li><input checked="" type="radio"/> Development regulations – <a href="#">Title 19 EMC</a></li> <li><input type="radio"/> Development regulations – <a href="#">Zoning map</a></li> <li><input type="radio"/> Development regulations – <a href="#">Maximum building height map</a></li> <li><input type="radio"/> Development regulations – <a href="#">Street designation map</a></li> </ul>
<input type="checkbox"/> <b>4. Narrative Statement and criteria</b>	Written statement describing the exact request, the reason for the request, and how the request meets applicable criteria. <b>Use Attachment A.</b>
<input type="checkbox"/> <b>5. Environmental Checklist</b>	Submit <b>one</b> completed and signed copy of the SEPA Environmental Checklist and Optional Worksheet for Non-Project Review, available on Ecology's website: <a href="https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-document-templates">https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-document-templates</a>
<b>For site-specific amendments</b>	
<input type="checkbox"/> <b>A. Map of Site (for location-specific amendments)</b>	Not applicable
<input type="checkbox"/> <b>B. Property owner name(s) and address(es)</b>	Not applicable
<b>Signature</b>	
<input type="checkbox"/> <b>Applicant signature</b>	

## Attachment A

### Narrative Statement and Evaluation Criteria

All applications must be accompanied by a narrative statement describing how the proposal is consistent with the following applicable criteria. Staff can only recommend that a proposal advance if it meets the applicable criteria.

<p>Description of the exact request</p>	<p>Proposing the following:</p> <p><b>Regulations proposed.</b></p> <p><u>Adopt State RCW definition of Middle Housing:</u></p> <p><u>New definition in RCW 36.70A.030 (House Bill 1110)</u></p> <p>“Middle Housing” means buildings that are compatible in scale, form, and character with single-family houses and contain two or more attached, stacked, or clustered homes including duplexes, triplexes, fourplexes, fiveplexes, sixplexes, townhouses, stacked flats, courtyard apartments, and cottage housing.</p> <p><u>Adopt the following to reinforce State Law to protect environmental sensitive areas:</u></p> <p>Middle Housing is not allowed on lots in single family zoned areas (R-2, R-1 and R-S) which have environmental features. This includes critical areas, steep slopes, wetlands, streams, geological hazard areas, and shoreline residential designation areas.</p> <p><u>Adopt the following to ensure that there is adequate infrastructure and development meets city standards to accommodate the increased density of housing as required by state law.</u></p> <p>Middle Housing is not permitted in single family residential areas where the public right of way design and constructions standards are not met. These standards are entitled Roadway Functional Classifications - Sheet 300 developed by Everett Public Works Department.</p> <p>In R-2, R-1 and R-S single-family zones the maximum height is two stories and 28 feet.</p> <p><b>Proposed Comprehensive Plan amendments to be adopted:</b></p> <p>Develop and adopt design standards for Middle Housing and Single-Family Housing to ensure that new development is compatible in scale, form, and character with single-family houses and to be conformance with the state law definition of Middle Housing.</p> <p>Design standards are to address increased density compatibility, neighborhood scale, neighborhood character, improved placemaking and mitigation for adjacent properties.</p> <p>Ensure needed capacity for project reviews by maintaining appropriate staffing levels and providing training including how to apply design standards.</p>
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	As a part of Comprehensive Plan and Development Code Updates review the effectiveness of zoning codes and development standards as a part of the review process.
Reason for the request	<p>The State of Washington efforts to create the opportunity for Middle Housing started with legislation Senate Bill 5254 which required a Housing Memorandum: Issues Affecting Housing Availability and Affordability. This was to be prepared for the Washington State Department of Commerce and was produced and dated June 2019.</p> <p>The following are excerpts from the report produced in accordance with Senate Bill 5254 and the foundation for the legislation passed this past session.</p> <ul style="list-style-type: none"> <li>• <b>Zoning Gap for the Missing Middle:</b> Cities can frequently have a gap in zoned capacity for housing of moderate density that transitions between detached single-family units and higher-density apartment buildings. Duplexes, triplexes, cottages, rowhouses and townhouses all may be denied due to lack of land zoned for moderate density and the flexibility to allow a range of such homes from duplexes at the lower end of density to townhouses at the higher end. Carefully review and balance the impact of setbacks, parking, height restrictions, and lot sizes on the yield of land. When new or revised codes are considered, this conversation should be included. When developing new or revised development regulations, try applying the draft regulations to current projects to see how they might work when applied. When adopting new or revised codes, bring in stakeholders to evaluate how the new requirements may impact projects, both positively and negatively.</li> </ul> <p>MM-02 (Page 88)</p> <p>Use design standards to ensure housing fits the character of the neighborhood. This should result in a similar form to traditional single family and fit with the character of existing neighborhoods.</p> <p>RM-07 (page 105)</p> <p><b>Design Standards</b></p> <p>Adopt design standards in targeted areas to encourage attractive compact development. Balanced guidelines should promote good design without imposing prohibitively costly requirements on new developments. They are most helpful where new innovative developments are being proposed. They help ensure development is attractive, safe, and consistent with neighborhood character, historic preservation, or other desired features. They can facilitate community acceptance of affordable housing projects or increased densities.</p> <p>RM-11 (Page 106)</p> <p><b>Form-Based Zoning or Performance Zoning</b></p> <p>In contrast to zoning, which separates and regulates land uses, form-based zoning systems focus on the character of the built environment's building size, design, street/block scale, streetscape and open space standards, as well as cohesion with surrounding development. This allows a variety of uses to co-locate within a zone. The codes are not merely advisory; they mandate development regulations (e.g., setbacks,</p>

	<p>building height and bulk, parking requirements) and are supplemented by design guidelines to shape how the district should look, feel, and be experienced.</p> <p>This report promoted design standards and is the factual basis for the legislation which was passed this past legislative season.</p> <p>Legislation was passed outlined below which necessitates the need for legislative action by the city of Everett. The above information was used to form the state legislation including the definition of Middle Housing which states:</p> <p>Middle Housing” means buildings that are compatible in scale, form, and character with single-family houses and contain two or more attached, stacked, or clustered homes including duplexes, triplexes, fourplexes, fiveplexes, sixplexes, townhouses, stacked flats, courtyard apartments, and cottage housing.</p> <p>It is the belief of the applicant that this definition cannot be accomplished without design standards/guidelines to build housing which is compatible in scale, form, and character with single-family houses. As directed by the State Law this must include single family housing.</p>
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*Clearly and completely address the factors below for each amendment category selected in question 3*

Comprehensive plan – text, goals, objectives, policies	<p><i>EMC 15.03.400(E) The following factors shall be considered in reviewing proposed amendments to comprehensive plan policies.</i></p> <p><i>1. Have circumstances related to the subject policy changed sufficiently since the adoption of the plan to justify a change to the subject policy? If so, the circumstances that have changed should be described in detail to support the proposed amendment to the policy.</i></p> <p><i>The requested amendments are in response to the adoption by the State of Washington of legislation in regard to Middle Housing (Engrossed Second Substitute House Bill 1110), Project Permits-Local Project Review-Various Provisions (Second Substitute Senate Bill 5290), Growth Management Act-Design Review (Engrossed Substitute House Bill 1293)</i></p> <p><i>2. Are the assumptions upon which the policy is based erroneous, or is new information available that was not considered at the time the plan was adopted, that justify a change to the policy? If so, the erroneous assumptions or new information should be described in detail to support the proposed policy amendment.</i></p> <p><i>There is no erroneous information that the applicant is aware of. There is new information based on the new legislation and the need to respond to this new information provided by the State of Washington.</i></p> <p><i>3. Does the proposed change in policy promote a more desirable growth pattern for the community as a whole? The manner in which the proposed policy change promotes a</i></p>
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*more desirable growth pattern should be described in detail.*

*The proposed policies and regulations have the effect of trying to create a more desirable growth pattern. It is the applicant's belief that without design standards in single family areas for single family and middle housing types there will be the result of a less desirable community, economic disinvestment because investors cannot trust their investments will be protected from undesirable residential construction and a lower standard of living in Everett. It is important that the city of Everett provides more housing that fits into the neighborhood character, scale, and form of the city as required by the State of Washington.*

*4. Is the proposed policy change consistent with other existing plan policies, or does it conflict with other plan policies? The extent to which the proposed policy change is consistent with or conflicts with other existing policies should be explained in detail.*

*Not aware of conflicts with other plan policies or regulations. Reinforces existing policies. Examples are:*

#### **URBAN DESIGN AND HISTORIC PRESERVATION ELEMENT**

*In the introduction the following is written:*

*Nonetheless, this set of policies should improve the community by ensuring that Everett's character is strengthened, and it is made a more lively, vibrant, and desirable place to live.*

*3. Establish a design review process with design guidelines that include appropriate street trees and landscaping with special emphasis on the design of multiple-family, commercial and mixed-use buildings.*

*Objective 8.1.6 To preserve and build upon the positive, historic patterns of development that are a major part of Everett's character.*

*Policy 8.1.6 Enhance the quality of development throughout the city over time through the use of design guidelines/standards and design review. Implement the design guidelines/standards and design review to ensure the quality of development throughout the city is enhanced over time.*

*Objective 8.3.3 To promote infill development in older, established areas of the city that will continue to maintain the character of these areas.*

*Objective 8.3.4 To promote infill development in newer areas of the city that incorporate more traditional forms of building and site design.*

*7. Include additional design standards in the land use code, as needed.*

*Policy 8.5.1 Incorporate special guidelines for both site design and building design in the city's Land Use Code to ensure a compatible relationship between commercial and residential development and between multiple-family and single-family development.*

<p>Comprehensive plan – <a href="#">land use map</a></p>	<p>EMC <a href="#">15.03.400(D)</a> The following factors shall be considered in reviewing requests to amend the comprehensive plan land use map.</p> <ol style="list-style-type: none"> <li>1. The proposed land use designation must be supported by or consistent with the existing policies of the various elements of the comprehensive plan. Not applicable</li> <li>2. Have circumstances related to the subject property and the area in which it is located changed sufficiently since the adoption of the land use element to justify a change to the land use designation? If so, the circumstances that have changed should be described in detail to support findings that a different land use designation is appropriate. Not applicable</li> <li>3. Are the assumptions upon which the land use designation of the subject property is based erroneous, or is new information available which was not considered at the time the land use element was adopted, that justify a change to the land use designation? If so, the erroneous assumptions or new information should be described in detail to enable the planning commission and city council to find that the land use designation should be changed. Not applicable</li> <li>4. Does the proposed land use designation promote a more desirable land use pattern for the community as a whole? If so, a detailed description of the qualities of the proposed land use designation that make the land use pattern for the community more desirable should be provided to enable the planning commission and city council to find that the proposed land use designation is in the community's best interest. Not applicable</li> <li>5. Should the proposed land use designation be applied to other properties in the vicinity? If so, the reasons supporting the change of several properties should be described in detail. If not, the reasons for changing the land use designation of a single site, as requested by the proponent, should be provided in sufficient detail to enable the planning commission and city council to find that approval as requested does not constitute a grant of special privilege to the proponent or a single owner of property. Not applicable</li> <li>6. What impacts would the proposed change of land use designation have on the current use of other properties in the vicinity, and what measures should be taken to assure compatibility with the uses of other properties in the vicinity? Not applicable</li> <li>7. Would the change of the land use designation sought by the proponent create pressure to change the land use designation of other properties in the vicinity? If so, would the change of land use designation for other properties be in the best long-term interests of the community in general? Not applicable</li> </ol>
<p>Development regulations – <a href="#">Title 19 EMC</a></p>	<p>EMC <a href="#">15.03.300(C)(4)</a> The city may amend the text of the unified development code if it finds that:</p> <ol style="list-style-type: none"> <li>a. The proposed amendment is consistent with the applicable provisions of the Everett comprehensive plan. Examples are:</li> </ol>



Goal for Critical Areas Goal 2.13 Protect the functions and values of critical areas to promote and protect public health, safety and welfare.

The Everett Comprehensive Plan supports the proposed regulations.

#### URBAN DESIGN AND HISTORIC PRESERVATION ELEMENT

In the introduction the following is written:

Nonetheless, this set of policies should improve the community by ensuring that Everett's character is strengthened, and it is made a more lively, vibrant and desirable place to live.

3. Establish a design review process with design guidelines that include appropriate street trees and landscaping with special emphasis on the design of multiple-family, commercial and mixed-use buildings.

Objective 8.1.6 To preserve and build upon the positive, historic patterns of development that are a major part of Everett's character.

Policy 8.1.6 Enhance the quality of development throughout the city over time through the use of design guidelines/standards and design review. Implement the design guidelines/standards and design review to ensure the quality of development throughout the city is enhanced over time.

Objective 8.3.3 To promote infill development in older, established areas of the city that will continue to maintain the character of these areas.

Objective 8.3.4 To promote infill development in newer areas of the city that incorporate more traditional forms of building and site design.

7. Include additional design standards in the land use code, as needed.

Policy 8.5.1 Incorporate special guidelines for both site design and building design in the city's Land Use Code to ensure a compatible relationship between commercial and residential development and between multiple-family and single-family development

b. The proposed amendment bears a substantial relation to public health, safety or welfare; and

The city of Everett has a Goal for Critical Areas Goal 2.13 Protect the functions and values of critical areas to promote and protect public health, safety and welfare. The draft language provides for this in critical areas by limiting Middle Housing to areas away from environmental features.

The good design of a community contributes to the community's health, safety, and welfare. The proposed language has the goal to have a city of Everett which has standards which will result in development which adds to the overall community character, livability, desirability, inclusiveness, and neighborhood scale.

c. The proposed amendment promotes the best long-term interests of the Everett community

The proposed regulations and policies / objectives will help Everett to be a

	<p>community in which people want to live because they like the design and character of the community. This will encourage investors to invest in the community because they know their investment will be protected from development which is poorly designed and will bring down the value of the community.</p> <p>At the same time increased housing development will provide the needed missing Middle Housing which is the goal of the State of Washington and now the city of Everett to add to housing supply.</p> <p>It is in the community's interest to adequately staff and train employees who develop, review and administer the city regulations. It is also important to review the effectiveness of regulations to see that the required outcomes are being achieved.</p>
Development regulations – Zoning map	<p>EMC 15.03.300(B)(4) The review authority may approve an application for a site-specific rezone if it finds that:</p> <p>a. The proposed rezone is consistent with the Everett comprehensive plan; and</p> <p>Not applicable</p> <p>b. The proposed rezone bears a substantial relation to public health, safety or welfare; and the proposed rezone promotes the best long-term interests of the Everett community; and</p> <p>Not applicable</p> <p>c. The proposed rezone mitigates any adverse impact(s) upon existing or anticipated land uses in the immediate vicinity of the subject property.</p> <p>Not applicable</p> <p>d. If a comprehensive plan amendment is required in order to satisfy subsection (4)(a) of this section, approval of the comprehensive plan amendment is required prior to or concurrently with the granting of an approval on the rezone.</p> <p>Not applicable</p>
Development regulations – Maximum building height map	
Development regulations – Street designation map	